

ENTERED

February 04, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

VS.

MARIA GUADALUPE ORTIZ

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CRIMINAL ACTION NO. 4:16-CR-00033-2

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(B); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant was placed on felony probation in 2011, and was on felony probation when this offense was committed, reflecting that she is either unwilling or unable to comply with court-ordered conditions of release. Defendant has performed poorly each time she was placed on supervision. This order of detention is entered without prejudice to the Defendant's right to request a hearing if she is able to produce new evidence unavailable

at the time of her hearing.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 4th day of February, 2016.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE